

UNITED STATES DISTRICT COURT FEB 16 2022

for the

**Nathan Ochsner, Clerk**

## Southern District of Texas

United States of America  
v.  
Domingo SEPULVEDA Jr. (U.S.C. / Y.O.B. 1997)

Case No. M-22-0332-M

*Defendant(s)*

## **CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 14, 2022 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## *Code Section*

### *Offense Description*

This criminal complaint is based on these facts:

Submitted by reliable electronic means, sworn to and attested to telephonically per Fed.R.Cr.P.4.1, and probable cause:

Continued on the attached sheet.

/S/ Jorge Olivarez

**Complainant's signature**

Jorge Olivarez, Special Agent, ATF

*Printed name and title*

Reviewed and approved by AUSA Colton Turner

/S/ Jorge Olivarez

**Complainant's signature**

Jorge Olivarez, Special Agent, ATF

*Printed name and title*

Date: February 16, 2022 9:46 PM

*Judge's signature*

City and state: McAllen, TX

**Nadia S. Medrano, U.S. Magistrate Judge**

This affidavit is in support of a criminal complaint charging Domingo SEPULVEDA Jr., hereinafter referred to as "SEPULVEDA", with criminal violations. The evidence available to me demonstrates that there is probable cause that SEPULVEDA violated Title 18 U.S.C. Section 922(a)(6) and Title 18 U.S.C. Section 2.

Further, the Affiant states as follows:

On February 14, 2022, your Affiant received information from a Federal Firearms Licensee (FFL) in Edinburg, Texas, regarding the purchase of a firearm made by a co-conspirator, who, at the time, was accompanied by Domingo SEPULVEDA Jr. The FFL reported that earlier that same day the co-conspirator filled out the ATF form 4473 stating she was the actual buyer of the firearm.

On February 16, 2022, ATF Special Agents (S/As) conducted a non-custodial interview of SEPULVEDA at the ATF McAllen I Field Office. During the interview, SEPULVEDA admitted to recruiting his co-conspirator to purchase a Smith & Wesson, Model: M&P9, 9mm caliber pistol on his behalf. SEPULVEDA stated he knew he would have issues passing the NICS (National Instant Criminal Background Check System) background check due to his (SEPULVEDA's) past criminal history. SEPULVEDA explained to ATF S/As that he used his credit card to pay for the aforementioned firearm after his co-conspirator had completed the ATF Form 4473 (Firearms Transaction Record). SEPULVEDA stated after his co-conspirator purchased the firearm, he took possession of the firearm, secured the firearm and took the firearm with him on his way to work in Mississippi.

SEPULVEDA, having completed ATF Form 4473s in the past for previously purchased firearms, knew he had requested for his co-conspirator to lie on Question 21 Section a., when his (SEPULVEDA's) co-conspirator checked "yes" indicating that the co-conspirator was the actual buyer of the firearm; when truth in fact, SEPULVEDA knew that the firearm was being purchased on his behalf.

As a result, SEPULVEDA aided and abetted his co-conspirator to commit an offense against the United States by recruiting and directing his co-conspirator to straw purchase a firearm, causing SEPULVEDA, to, in connection with the acquisition of firearms from licensed dealers, knowingly make false written statements and representations intended or likely to deceive such licensed dealers with respect to facts material to the lawfulness of the sale of such firearm in violation of Title 18 U.S.C. Section(s) 922(a)(6) and 2.

The above-mentioned violations occurred in the Southern District of Texas.